IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE

APPEAL NO.847 OF 2005
IN
NOTICE OF MOTION NO.80 OF 2004
IN
WRIT PETITION NO.2980 OF 2003

Francis E. Lobo — Appellants
vs.
M/s.R.Nowrojee & Co., Mumbai. — Respondents

Mr.S.N.Deshpande for the appellants.

Mr.Naushad Engineer i/b.Mr.A.G.Purohit for the respondents.

CORAM : R.M. LODHA &
D.G. KARNIK, JJ.

DATED : 17th November 2005

P.C.

Heard Mr.S.N.Deshpande, the learned counsel for the appellants.

2. It is not disputed before us that the appellant (workman) is aged 70 years. In view thereof, in the application under Section 17-B of Industrial Disputes Act, 1947, if the learned Single Judge by way of interim order directed the employer to deposit back wages as and upto the date the workman would have attained the age of 60 years, the said order cannot be faulted.

3. No case for interference is made out in the impugned order.

4. The appeal is dismissed in limine.

5. In the facts and circumstances of the case, the hearing of writ petition no.29880/2003 is expedited.

(R.M.LODHA, J.)

(D. G. KARNIK, J.)